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December 18, 2003

The Honorable John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

We have just read the Office of the Inspector General's Supplemental Report concerning detainees' allegations of abuses at the Metropolitan Detention Center in Brooklyn, New York (<http://www.usdoj.gov/oig/igspecr1.htm>). We are deeply troubled by the Supplemental Report and believe that it demands your immediate personal attention, and may well necessitate disciplinary action against any Department employees found to have engaged in the illegal or inappropriate conduct described in the report.

Among other things, we would note that the Supplemental Report identifies numerous instances of physical and verbal abuse by correctional officers. This included officers who "slammed detainees against the wall, twisted their arms and hands in painful ways, stepped on their leg restraint chains, and punished them by keeping them restrained for long periods of time."¹ The OIG also details the fact that several corrections officers went so far as to record illegally meetings between detainees and their attorneys,² a clear violation of the Fourth and Sixth Amendments. Actions such as these not only constitute a disservice to the Department but seriously undermine our war against terror.

We also were shocked to learn that many of the officers attempted to deny responsibility for their actions.³ We know this because the IG's report clearly notes that many of the abuses

¹OFFICE OF THE INSPECTOR GENERAL, U.S. DEP'T OF JUSTICE, SUPPLEMENTAL REPORT ON SEPTEMBER 11 DETAINEES' ALLEGATIONS OF ABUSE AT THE METROPOLITAN DETENTION CENTER IN BROOKLYN, NEW YORK 46 (Dec. 2003).

²*Id.* at 31-33.

³*Id.* at 46.

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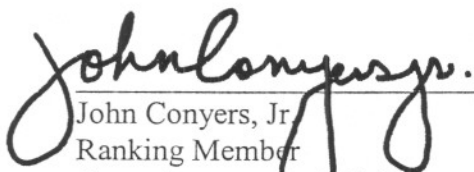
were corroborated by current and former correctional officers, and were captured on videotape.⁴ For example, the OIG notes that:

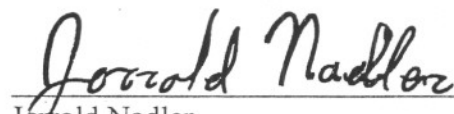
Three staff members stated in OIG interviews that they did not press compliant detainees against the wall because that would be inappropriate. In viewing videotapes, however, we saw these same officers pressing compliant detainees into walls. In addition, three other staff members denied that they, or anyone else, had bent or twisted detainees' arms, hands, fingers, or thumbs. Again, we observed on videotapes these same staff members twisting compliant detainees' arms, hands, wrists, or thumbs.⁵

Given the extremely serious and credible nature of the charges laid out in today's Supplemental Report, as well as in the initial report released in June 2003, we believe it is incumbent upon the Department to take immediate action not only to prevent these abuses from recurring but also to discipline the offending officers.

We look forward to meeting with you at your earliest convenience to discuss these very serious charges. Please reply to us through Perry Apfelbaum or Ted Kalo of the Judiciary Committee staff, 2142 Rayburn House Office Building, Washington, DC 20515 (tel: 202-225-6504; fax: 202-225-4423).

Sincerely,


John Conyers, Jr.
Ranking Member
Committee on the Judiciary


Jerrold Nadler
Ranking Member
Subcommittee on the Constitution

cc: The Honorable William E. Moschella
Assistant Attorney General
Office of Legislative Affairs

The Honorable F. James Sensenbrenner, Jr.
Chairman
U.S. House Committee on the Judiciary

⁴*Id.* at 46-47.

⁵*Id.* at 43.